

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE: AUTOMOTIVE PARTS
ANTITRUST LITIGATION

Master File No. 12-md-02311
Hon. Marianne O. Battani

IN RE: WIRE HARNESSES

Case No. 2:14-cv-14451-MOB-MKM
Case No. 2:14-cv-00107-MOB-MKM

THIS DOCUMENT RELATES TO
TRUCK AND EQUIPMENT DEALER
CASES

**PROPOSED / PENDING COURT APPROVAL DISTRIBUTION / ALLOCATION PLAN
TRUCK AND EQUIPMENT DEALER WIRE HARNESSES SETTLEMENTS**

This distribution / allocation plan (“Allocation Plan”) will be applied to the Truck and Equipment Dealer settlements in the Wire Harness case. The Allocation Plan includes allowances based on pro rata distributions and utilizes a “weighted” point system that recognizes instances of alleged collusion and bid-rigging. To the extent practicable, the principles applied here will be applied to settlements benefitting Truck and Equipment Dealers for other vehicle parts cases in this litigation. Each parts case will have its own plan of distribution and/or allocation. This proposed plan will, if approved by the Court, govern the Wire Harnesses and Occupant Safety Systems cases.

Settlement Coverage:

The Allocation Plan will allocate the net proceeds of each of the Wire Harness Settlements to:

- (1)** Dealers who purchased Trucks & Equipment,¹ defined generally as medium- and heavy-duty trucks, buses, commercial vehicles (excluding automobiles, vans, sports utility vehicles, crossovers or pickup trucks, and/or similar motor vehicles sold by automobile dealers), all-terrain vehicles, construction equipment, mining equipment, agricultural equipment, railway vehicles, materials-handling vehicles, and other similar vehicles, that were subject to alleged coordinated activity on bids for component parts;
- (2)** Dealers who purchased subsequent Trucks & Equipment that were subject to alleged coordinated activity on bids for component parts;

¹ The phrase “Trucks & Equipment” is expressly defined in each of the individual settlement agreements, as is the precise parameters of the settlement class.

- (3) Dealers who purchased Trucks & Equipment whose manufacturers experienced multiple instances of alleged coordinated activity on bids for component parts;
- (4) Dealers who purchased other Trucks & Equipment; and
- (5) Dealers who purchased component parts subject to allegedly coordinated activity.

This Allocation Plan is subject to Court approval and may be revised with Court approval if new relevant information becomes available. In addition, there may be supplements and additions to the list of Trucks and Equipment appended hereto, without Court approval.

Payments will take into account the number and type of new Trucks and Equipment and covered component parts that a Dealer purchased during the periods set forth in the Settlement Class definitions.

Only new Trucks and Equipment purchased are eligible for inclusion. Used and pre-owned Trucks and Equipment that a Dealer purchased at any time will not be included in or counted towards the allocation.

Weighted Point Allocations:

Allocations will be determined on a *pro rata* basis using a “weighted” value for each new covered vehicle or vehicle part that Dealers purchased between January 1, 1999 and August 31, 2016:²

- Each new unit of the models of vehicles identified Schedule A, for which there was significant evidence of coordinated activity effecting the price of a part in that model, purchased by an eligible member of the Settlement Class will be assigned **300 points**;
- Each new unit of the models of vehicles identified Schedule B, for which there was evidence of coordinated activity effecting the price of a part used in that model, purchased by an eligible member of the Settlement Class will be assigned **200 points**;
- Each new unit of any other model of Truck or Equipment vehicle purchased by an eligible member of the Settlement Class during the Class Period that is not covered by the preceding paragraph will be assigned **100 points**;
- Each new complete replacement Wire Harness System (for Trucks and Equipment only) purchased by an eligible member of the Settlement Class during the Class Period will be assigned **25 points**;
- Each eligible member of the Settlement Class that submits a valid claim and purchased at least one new Truck or Equipment vehicle during the Class Period in the states listed in the settlement documents will receive a minimum allocation of **10 points**.

² The time periods covered by the settlements vary, and the specific end dates are set forth in the settlement agreements.

Important Note: The maximum payment for any claimant will depend on the application of the principles of allocation set forth herein and the total amount of each settlement fund, after expenses.

More details about the anticipated distribution of the settlement funds are available in the papers filed with the Court in support of settlement approval, which are available on the settlement website, www.TruckDealerSettlement.com. In order to receive a payment, a claimant must file a valid and timely claim. The settlement web site and claim form provide additional details about how to submit a claim. Further information is available at www.TruckDealerSettlement.com or by calling the Settlement Administrator at [1-866-742-4955](tel:1-866-742-4955).

Two Truck & Equipment Allocation charts are attached. The allocation information provided in these charts was not compiled or approved by Settling Defendants and is not to be construed as evidence or an admission against any Settling Defendants that they participated in coordinated activities with respect to the listed manufacturers or models of vehicles.

Schedule A

The following models of Trucks and Equipment will be assigned 300 points for each new unit purchased by an eligible member of the Settlement Class:

Truck & Equipment Make	Truck & Equipment Model
Isuzu	NPR
Isuzu	NPR HD
Isuzu	NPR WIV
Isuzu	NPR Gas
Isuzu	NPR Diesel
Isuzu	NQR
Isuzu	NRR
GMC	W3500
GMC	W4500
GMC	W5500
GMC	W6500
Chevrolet	W3500
Chevrolet	W4500
Chevrolet	W5500
Chevrolet	W6500

Schedule B

The following models and model years of Trucks and Equipment will be assigned 200 points for each new unit purchased by an eligible member of the Settlement Class:

Truck & Equipment Make	Truck & Equipment Model
Isuzu	FRR
Isuzu	FSR
Isuzu	FTR
GMC	TopKick
GMC	C4500
GMC	C5500
GMC	C6500
GMC	C7500
GMC	C8500
Chevrolet	Kodiak
Chevrolet	C4500
Chevrolet	C5500
Chevrolet	C6500
Chevrolet	C7500
Chevrolet	C8500